

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

INCIDENT CATERING SERVICES LLC, a
Washington limited liability company,

Plaintiff,

v.

KENNETH ERROL NANCE, an individual,

Defendant.

KENNETH ERROL NANCE,

Counterclaim Plaintiff,

v.

INCIDENT CATERING SERVICES LLC,
doing business as ELLIPSE GLOBAL, a
Washington limited liability company, MIKE
HOLM, individually and on behalf of his
domestic community with Jane Doe Holm,
and RAQUEL LACKEY, individually and on
behalf of her domestic community with John
Doe Lackey,

Counterclaim Defendants.

CASE NO. 22-cv-591

ORDER GRANTING THE PARTIES'
STIPULATED MOTION TO EXTEND
TRIAL AND RELATED DATES

This matter comes before the Court on the parties' stipulated motion to extend the trial and related dates. Dkt. No. 56. The parties assert good cause exists to continue the case schedule because Defendant Kenneth Nance's new attorneys require additional time to conduct discovery.

ORDER GRANTING THE PARTIES' STIPULATED MOTION TO EXTEND TRIAL AND RELATED DATES -

Nance's new counsel, Wright Noel and Patrick Moore of Carson & Noel PLLC, appeared on August 21, 2023, and Nance's prior counsel withdrew the next day. Dkt. Nos. 53, 54.

Under Fed. R. Civ. P. 16(b)(4), a scheduling order "may be modified only for good cause and with the judge's consent." Good cause exists if the pretrial schedule "cannot reasonably be met despite the diligence of the party seeking the extension." Fed. R. Civ. P. 16(b) advisory committee's note to 1983 amendment. Although a "[m]ere failure to complete discovery within the time allowed does not constitute good cause," the parties in this case were delayed in their efforts given the disruption in Nance's representation. *See* LCR 16(b)(6).

Accordingly, the Court finds good cause to modify the case schedule and GRANTS the parties' stipulated motion to extend trial and related dates as set forth below:

EVENT	DATE
JURY TRIAL begins	May 20, 2024
All motions related to discovery must be filed by (<i>see</i> LCR 7(d))	November 22, 2023
Discovery completed by	December 22, 2023
All dispositive motions and motions challenging expert witness testimony must be filed by (<i>see</i> LCR 7(d))	January 21, 2024
Settlement conference under LCR 39.1, if requested by the parties, held no later than	March 21, 2024
All motions in limine must be filed by (<i>see</i> LCR 7(d))	April 10, 2024
Deposition Designations must be submitted to the Court by (<i>see</i> LCR 32(e))	April 29, 2024
Agreed pretrial order due	April 29, 2024
Trial briefs, proposed voir dire questions, and proposed jury instructions must be filed by	May 6, 2024

EVENT

DATE

Pretrial conference

May 13, 2024

Dated this 12th day of September, 2023.



Jamal N. Whitehead
United States District Judge